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555 Twelfth Street, NW
Washington, DC 20004-1206



July 16, 2001

Commissioner for Patents
Washington, DC 20231

Attention: Box Sequence

Re: U.S. Utility Application No. 09/692,257
Filed: October 19, 2000
For: Nucleic Acid Molecules and Other Molecules
Associated with Plants
Inventors: MILLER, Philip W., *et al.*
Atty. Docket: 38-21(15771)B

Sir:

Transmitted herewith for appropriate action by the U.S. Patent and Trademark Office (PTO) are the following documents:

1. Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
2. Copy of the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
3. Preliminary Amendment;
4. a substitute Sequence Listing on CD-ROM (three CD-ROMs: Copy 1, Copy 2, and CRF);
5. Statement Regarding Sequence Submission; and
6. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-1824 referencing matter number 38-21(15771)B. A duplicate copy of this letter is enclosed.

Sincerely,

June E. Cohan (Reg. No. 43,741)

Enclosures

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

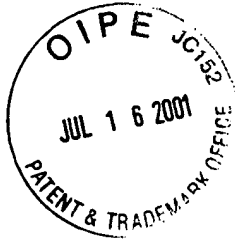
In re application of:

MILLER, Phillip W., *et al.*

Appln. No.: 09/692,257

Filed: October 19, 2000

For: Nucleic Acid Molecules and Other
Molecules Associated with Plants



Art Unit: Not yet assigned

Examiner: Not yet assigned

Atty. Docket: 38-21(15771)B

**Response to Notice to Comply with Requirements for Patent Applications
Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures**

Commissioner for Patents
Washington, DC 20231

Sir:

In response to the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures mailed May 15, 2001, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Copy of Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures;
2. Substitute sequence listing (Copy 1 and Copy 2) and computer readable form (CRF) for the above referenced application, all on CD-ROM;
3. A statement regarding sequence submission under 37 C.F.R. § 1.821(f) and 1.821(g); and
4. A preliminary amendment to enter the sequence listing into the specification.

The Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, stated that the present application failed to comply with the requirements of 37 C.F.R. § 1.822 and/or § 1.823.

Applicants are submitting a substitute computer readable form of the sequence listing on a CD-R (CRF), a substitute copy of the sequence listing on 2 CD-Rs (Copy 1 and Copy 2) and a statement under 37 C.F.R. § 1.821(f) and § 1.821(g) in response to the Notice. All three CD-Rs each contain one file called "pa_00315_f220.txt" which is 9,339,747 bytes in size (measured in MS-DOS) and was created on July 13, 2001.

It is not believed that any fees are required at this time. However, if extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be

charged to our Deposit Account No. 50-1824. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-1824 referencing matter number 38-21(15771)B.

Respectfully submitted,

Lawrence M. Lavin, Jr.

by June E. Cohan

Lawrence M. Lavin, Jr. (Reg. No. 30,768)

by June E. Cohan (Reg. No. 43,741)

Date: July 16, 2001

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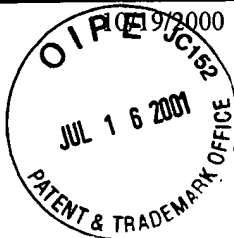


UNITED STATES PATENT AND TRADEMARK OFFICE

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WASHINGTON, D.C. 20231
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/692,257	05/19/2000	Philip W. Miller	38-21(15771)B

Lawrence M. Lavin, Jr.
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CONFIRMATION NO. 7102

FORMALITIES LETTER



OC000000006078596

Date Mailed: 05/15/2001

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file the items indicated below to avoid abandonment. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

- A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE